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THE TWENTIETH CENTURY REFORM BILL.

BY

HENRY H. SCHLOESSER.

PUBLISHED AND SOLD BY

THE FABIAN SOCIETY.

PRICE ONE PENNY.

LONDON :

THE FABIAN SOCIETY, 3 CLEMENT'S INN, STRAND, W.C.

JANUARY, 1911.

4X11 F25 no. 153
FIFTH EDITION. JUST PUBLISHED.

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THE TWENTIETH CENTURY REFORM BILL.

PREPARED BY HENRY H. SCHLOESSER WITH THE ASSISTANCE OF A
COMMITTEE APPOINTED FOR THE PURPOSE BY THE EXECUTIVE
COMMITTEE OF THE FABIAN SOCIETY.

INTRODUCTION.

THE first draft of this measure was issued by the Fabian Society as Tract No. 14, "The New Reform Bill," exactly twenty years ago. No single one of the reforms then advocated has since become law; but at the present moment (January, 1911) the prospects of Electoral Reform are brighter than for many years past, and some of the proposals of our Bill are definitely promised by the first Cabinet within living memory which can reckon on fulfilling its promises without the concurrence of the Upper House.

The present Bill, redrafted throughout and altered in many details (especially by the substitution of the Alternative Vote for the Second Ballot), is intended as a complete scheme of Electoral Reform, with the exceptions noted below. It therefore includes Adult Suffrage and completely removes all existing sex disqualifications in connection with parliamentary elections. It permits women, married or single, to vote for and to be members of parliament as well as all minor governing bodies.

But it should be pointed out that the advocacy of Adult Suffrage in this Tract is not intended to prejudice the highly controversial question whether at the present time the enfranchisement of women should be sought by such partial measures as conferring the parliamentary vote on some or all of the women at present qualified to vote for local governing bodies, or whether nothing less than Adult Suffrage should be accepted. This is a question of immediate parliamentary tactics which is outside the scope of the scheme here outlined.

Since the time of the Chartist agitation, no attempt has been made to formulate a thorough scheme for the reform of the laws regulating our electoral system, if the confused, inconsistent, and often unintelligible mass of Acts of Parliament on the statute book can be dignified by such a name. From the Statute of Edward I., establishing freedom of election, down to the Registration Act, 1908, there have been over one hundred and sixty Acts to regulate the franchise, registration of electors, and procedure at elections, etc.; of which more than one hundred and twenty have been enacted since the passing of the Reform Act of 1832—a measure intended by Lord John Russell to settle finally the question of reform.

With the single exception of the Corrupt and Illegal Practices Act (1883), no attempt has been made to codify any section of electoral law. One Act of Parliament contradicts another, and a reverence for antiquated modes of draughtsmanship has only made confusion worse confounded. A vote is given to every male householder, only to be taken away from him by a cumbrous and iniquitous system of registration, with a long term of qualification, and an intentionally complex arrangement of claim, objection, and revision.

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It is often said that the points of the People's Charter have been embodied in English law ; but, as a matter of fact, the ballot alone has been adopted in its entirety. The suffrage has been considerably lowered, and some approach was made, twenty-five years ago, to the establishment of equal electoral districts, but the payment of members and a reduction in the duration of parliament are still promises for the future, though now more likely to be realized than ever before. The abolition of a property qualification for members has been largely a nominal reform, and can only be rendered effective by the payment of election expenses.

In the following draft bill, an attempt has been made to put into practicable legal shape the aspirations of advanced political reformers. Its provisions include the following points :—

ADULT SUFFRAGE.
MINIMUM RESIDENTIAL QUALIFICATION.
EFFICIENT QUARTERLY REGISTRATION BY PAID OFFICERS.
ALTERNATIVE VOTE.
SIMULTANEOUS ELECTIONS.
ABOLITION OF PLURAL VOTING.
EXTENSION OF THE HOURS OF POLLING.

RESTRICTION ON USE OF CONVEYANCES.
PAYMENT OF ALL ELECTION EXPENSES, AND OF NEARLY ALL THE NECESSARY COST OF CANDIDATURE.
PAYMENT OF MEMBERS, AND OF THEIR TRAVELLING EXPENSES.
QUINQUENNIAL PARLIAMENTS.

To make a complete Reform Bill, provision should also be made for the establishment of equal electoral districts, automatically re-adjusted according to population after every census ; for the consolidation of the eighty-five statutes dealing with the disqualification of candidates, and of the thirty-one dealing with the procedure at an election ; for the further simplification and strengthening of the law relating to corrupt and illegal practices ; and for dealing with the whole question of the House of Lords.

Until the electorate consists of the whole adult population, and perfect freedom of choice of members, combined with the fullest control over their legislative action, has been secured through payment of members and their election expenses, and the alternative vote, the people will be seriously handicapped in the promotion and enactment of those measures of social reform which will ultimately result in the establishment of a properly organized community based on the socialization of industry.

THE BILL.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :

1. This Act may be cited as the Representation of the People Act, 1911.

2. This Act shall come into operation at the end of the present parliament.

Part I.—Adult Suffrage.

3. 1. A uniform franchise shall be established throughout the United Kingdom and every person (including women, whether under coverture or not), save as hereinafter expressly provided, who has during four weeks preceding any registration day, namely the

fifteenth day of December, March, June or September, resided within the same constituency shall be entitled on that registration day to be registered as a voter, and when registered to vote at any parliamentary, municipal, county, or other public election held under the provisions of any statute within the area in which he is resident.

2. No person shall be entitled to be registered as a voter or to vote if he

- (1) is an infant or an alien ; or
- (2) is a lunatic within the meaning of the Lunacy Act, 1890 ; or
- (3) has been convicted of a corrupt or illegal practice and has been declared incapacitated for voting during the period of such incapacity.

4. No person shall be entitled to be registered as a voter, or when registered to vote, other than a person duly qualified under section three of this Act, and, save as herein provided, all the Acts conferring franchises and disqualifying persons as electors are hereby repealed.

Registration.

5. For the purposes of this Act the following persons shall be the local registration officers and deputy registration officers.

| | Registration Officer | Deputy Registration Officer |
|---|---|---|
| a. In every administrative county | The Clerk of the County Council | One person for each county parliamentary constituency to be appointed by the County Council |
| b. In every county borough returning not more than one member to Parliament, and in every non-county borough returning one member to parliament | The Town Clerk | None |
| c. In every county and non-county borough returning two or more members to Parliament | The Town Clerk | One person for each parliamentary division to be appointed by the Borough Council |
| d. In every group of boroughs returning a member to parliament | The Town Clerk of a borough selected by the Local Gov'tment Board | The Town Clerk of every other borough in the group for his county |

6. 1. On or before the last day of December, March, June, and September in each year every local registration officer shall either himself or by his deputy prepare and publish lists supplementary to the previous final list (1) of all persons not included in the previous final list who shall have resided for a period of four weeks next preceding the fifteenth day of December, March, June, and September respectively within the constituency and are not disqualified as aforesaid, (2) of all persons included in the previous final list who have not resided in the constituency during the said four weeks.

2. Such lists shall be classified according to locality and shall be prepared in such form and published in such manner as the Local Government Board shall prescribe.

3. It shall be the duty of every person who is rated for the relief of the poor or for any other purpose in respect of the ownership or occupation of any dwelling house or tenement to supply the local registration officer or his deputy at his request with every information within his power respecting the names and addresses of all such persons of twenty-one years of age or over as may have resided in his dwelling house or tenement for the period of four weeks next preceding the fifteenth day of December, March, June, and September respectively.

4. Any person who shall refuse or negligently omit to supply such information when so requested, or who shall wilfully or negligently give false or inaccurate information, shall, upon summary conviction, be liable to a fine not exceeding fifty pounds or to imprisonment, with or without hard labor, for a term not exceeding one month.

7. Any person may, on or before the tenth day of January, April, July, or October, as the case may be, by notice in writing to the local registration officer, object to the name of any person being upon the register on the ground that he is not entitled under this Act to be registered as a voter.

8. Any person entitled under this Act to be registered as a voter and whose name is not in the previous final list or on the first supplementary list may, on or before the tenth day of January, April, July, or October, as the case may be, by notice in writing to the local registration officer, claim to be registered as a voter.

9. 1. On receipt of an objection the local registration officer shall forthwith give notice thereof by post to the person objected to, stating the ground of the objection and the name and address of the person making the objection.

2. A list of names and addresses of the persons objected to and the ground of the objection and a list of the persons claiming to be registered shall be published on or before the fifteenth day of January, April, July, or October respectively by the local registration officer in such manner as the Local Government Board shall prescribe.

10. The office of revising barrister is hereby abolished.

11. The registrar of the county court exercising jurisdiction within the constituency or, if there be more than one county court, of such county court as the Home Office may appoint, or the deputy of such registrar, shall sit and shall determine all objections and claims as soon as may be and within one month after the twentieth day of January, April, July, or October respectively. Any person

aggrieved by the decisions of the registrar may appeal to the judge of the county court, whose decision shall be final, save by leave of the judge or of the High Court. A person objected to or claiming to be registered may appeal by any other person appointed in writing on that behalf before the registrar and the judge. No fees shall be charged in such proceedings, and no costs shall be awarded to either party unless it shall appear to the judge that a claim or an objection is not bona fide made.

12. The decision of a registrar shall, pending appeal under section eleven of this Act, be regarded as a final decision.

13. On the twenty-second day of February, May, August, and November in each year every local registration office shall print and publish, in such manner as the Local Government Board may prescribe, lists of electors, classified according to locality, and prepared in such form as the Local Government Board shall prescribe. Such lists shall contain the names of all persons on the previous final list or on the first supplementary list, except those on the second supplementary list or successfully objected to before the registrar or judge, and the names of all persons who have successfully established claims before the registrar or judge, and such lists shall be deemed to be final lists and to be conclusive evidence, until the due publication of the next quarterly final list, of the right of any person whose name appears on such final lists to vote at any election within the constituency for which he is declared in any such list to be entitled to vote.

Expenses.

14. Save as herein expressly provided, one half of the expenses involved in carrying out the provisions of this Act shall be defrayed out of moneys provided by parliament in the form of a grant to the councils of counties and boroughs exercising powers under this Act, and such expenses as are not defrayed out of such grant shall be paid, in the case of a county, out of the county fund, and in the case of a borough out of the borough fund or rate, and the apportioning of all such expenses, whether for parliamentary or municipal purposes, shall be decided by the Local Government Board, whose decision on such questions shall be final.

15. No grant shall be payable under section fourteen of this Act to the council of any county or borough which has not, in the opinion of the Local Government Board efficiently exercised its powers under this Act.

Plural Voting.

16. Any person who shall vote more than once in the United Kingdom at one general parliamentary election or at any two or more bye-elections holden on the same day, or who shall vote more than once in the same constituency for any county, municipal, or other public election held under the provisions of any statute shall

be guilty of a misdemeanor, and, on being convicted thereof, shall be liable to imprisonment for any term not exceeding one year, with or without hard labor.

The present arrangements for registering the crowded dwellers in populous cities are virtually those which sufficed when the Statute of Henry VI. for the first time restricted the county franchise to forty shilling freeholders. The electoral registration of London's five million inhabitants is left to no better organization than that of a rural hamlet of the last century.

At present only one in seven and a half of London's population is on the register, as compared with one in six of the United Kingdom outside London, and one in five in many provincial boroughs. The term of occupation is absurdly long, and so arbitrarily dated, that a large number of removals in London practically involve from eighteen months to two years disfranchisement.

This part supersedes the cumbrous mass of legal technicalities contained in thirteen Acts of Parliament, and makes the work of registration as simple, economical, and nearly automatic as possible. The present interval of more than four months between the date of claim and the date on which the register comes into force is reduced to rather over two months. The disabilities of women and peers of parliament are removed. Adult suffrage is enacted, with the minimum term of residence necessary for the purposes of registration. Under the existing Registration Acts the work of registration, which is only done *once* a year, commences in April or May, and is not concluded till October 12th, which is the last day for the holding of the Revision Court. Under such a scheme as that proposed, the register would be made up *four* times a year, and the four registrations would cost little more to prepare than the one list under existing regulations. The individual voter is relieved of trouble and expense in claiming and supporting his claim, and provision is made for the punishment of misconduct or wilful neglect on the part of the registration officers. The existing system of revision of the voters' lists is abolished, and a saving effected in the item of revising barristers' salaries in England of £25,000 a year. The work of preparing the register is transferred to the county and borough councils. There will be only one register for all elections, local as well as parliamentary.

Part II.—Elections.

Candidates.

17. Save as in this Act expressly provided, all elections shall take place at the time and in the manner now provided by parliament.

18. 1. Save as hereinafter provided, any person not disqualified under section three, sub-section two, of this Act, for being an elector may be a candidate at any election.

2. Provided that no person who has, within two years of any registration day, been convicted, either on indictment or summarily, of any crime and sentenced to imprisonment with hard labor without the option of a fine, or to any greater punishment, and has not received a free pardon, or has, within or during the time aforesaid been adjudged bankrupt, or made a composition or arrangement with his creditors, and not received his discharge, shall be qualified to be a candidate at any election.

19. No peer of parliament shall, so long as he is a duly elected member of the House of Commons, be entitled to sit or vote in the House of Lords.

Returning Officers.

20. For the purposes of this Act the local registration officer shall be the returning officer for all elections held within his constituency, and the salary of every local registration officer shall be deemed to include his expenses as returning officer, and all fees and charges of returning officers shall be abolished.

Official Poll Card.

21. The returning officer in every constituency shall, three days before the day of any election, forward by post to every elector an official poll card, showing the names of the candidates, the number of the elector on the register, and the place at which he is entitled to poll. Such poll cards shall be transmitted through the Post Office and delivered free of charge.

22. The returning officer in every constituency shall, within three days of the date of nomination, cause to be printed and posted in convenient places throughout the constituency an official placard showing the names of all the candidates, the date of the poll, and the polling places assigned to each district.

Free Election Addresses.

23. Every candidate may at his nomination deliver to the returning officer a copy of his election address, which shall not exceed five thousand words in length. The returning officer shall have all such election addresses printed, and shall deliver to the Post Office a packet directed to each registered elector in the constituency containing copies of all such addresses. The Post Office shall transmit and deliver such packets free of charge.

Free Postage of Election Literature.

24. Every candidate may once between his nomination and the day of election deliver to the returning officer a packet of literature for each elector, folded and addressed in accordance with the regulations of the Post Office relating to inland letters and not exceeding four ounces in weight. The returning officer shall deliver such packets to the Post Office and the Post Office shall deliver them to the addressees free of charge.

In the States of Oregon and Montana, where the Initiative and Referendum are used for State legislation, the voters are "instructed by means of literature furnished by those initiating or opposing a measure and distributed by the Secretary of State" (*Political Science Quarterly*, December, 1908).

Free Use of Schoolroom.

25. 1. A candidate at any election may use, free of charge, for the purpose of public meetings during the period of an election, any suitable room in any school receiving a grant out of moneys provided by parliament, and any suitable room in any building, the expense of maintaining which is wholly or partially payable out of

any local rate ; provided that three days' notice of the proposed public meeting be given to the authority responsible for such school or building.

2. The use of the school or building shall be granted in the order of the receipt of the application by or on behalf of the candidates, provided that no candidate shall have the use of the same hall or room on a second occasion should any other candidate desire the use of it for the first time.

Hours of Polling.

26. At every election the poll (if any) shall commence at eight o'clock in the forenoon and be kept open till ten o'clock in the afternoon of the same day.

27. The Local Government Board shall provide an adequate number of ballot boxes for each constituency, materials for voters to mark the ballot papers, and all forms, other than ballot papers, required for use at an election, and shall supply them, free of charge, within ten days of the receipt of the requisition of the returning officer for the constituency in which they are to be used.

28. The returning officer shall furnish all ballot papers and all forms of nomination of candidates at a parliamentary election, and shall provide each polling station with copies of the register of voters, or such parts thereof as contain the names of the voters allotted to vote at such station, for use by the presiding officer and the personation agents of each candidate.

Maximum Expenses.

29. One half of the maximum expenses mentioned in Parts I., II., and III. of the First Schedule of the Corrupt and Illegal Practices Prevention Act, 1883, shall be substituted for the maximum amounts contained in Part IV. of the First Schedule of that Act.

Simultaneous Elections.

30. All writs issued by the Clerk to the Crown to the returning officers of constituencies at a general election of members to parliament shall bear the same date and shall on that date be issued.

The returning officer of every parliamentary constituency shall appoint the day for the nomination of candidates to be not later than the fourth day after the day on which he receives the writ, and the day for taking the poll to be the third Saturday after the date on which the writ is issued.

The cost of a general election, even under the restricted scale of the Corrupt and Illegal Practices Prevention Act (1883), is still such a tax on the candidates as to re-establish for some purposes the property qualification supposed to have been abolished in 1858.

In boroughs the maximum expenditure allowed for one candidate is £350, where the number of electors does not exceed two thousand, and rises by £30 for every succeeding thousand or part of a thousand electors. In counties the maximum is £650,

for two thousand electors, and £60 for each thousand or part of a thousand electors above that number. This scale does not include the returning officer's expenses, which, though limited by the Parliamentary Elections (Returning Officers) Act (1875), amounted to £25,000 in January, 1910. The total expenditure, according to the candidates' returns at the general election of 1906 was £1,166,858, and in that of January, 1910, £1,296,382, including returning officer's expenses. The returning officer's expenses would be largely reduced by this part of the Act so far as his old duties are concerned, and the extra expense involved by his new duties would be minimized by having the printing, etc., done on a large scale. By clause 29 these maximum expenses are halved. The schedule of charges at present allowed would be considerably modified, and the amount of personal expenditure by the candidate reduced.

By these provisions everything practicable has been done to place the poorest candidate on an equality with the richest.

In no European country but the United Kingdom is the expense of printing ballot papers, provision of ballot boxes, voting compartments, forms of nomination and return, travelling of presiding officers, and conveyance of boxes, etc., to the place of counting votes and declaration of the poll, placed upon the candidates. In this country the above expenses, known as "the returning officer's expenses," are at present (1911) divided equally between the various candidates.

In France, Austria, Hungary, and Italy the payment is made entirely out of the State Exchequer. In the Netherlands, Portugal, Spain, Sweden, and Japan the burden is thrown on the local rates. In Belgium and Greece the expense is divided, the ballot boxes, desks, and permanent fixtures being provided by the State in the first instance, and stored, renewed, and repaired by the localities to which they are allotted for use. All other election expenses are paid out of the local funds. In Germany the polling expenses are defrayed locally.

In Norway election to the Storting is absolutely free of expense.

Under the Act Regulating the Procedure at Parliamentary and Municipal Elections (35 & 36 Vict. c. 33), the returning officer may use, free of charge, for the purpose of taking the poll at a parliamentary election, any room in a school receiving a grant out of moneys provided by parliament, and any room the expense of maintaining which is payable out of any local rate. Any such room in a rural district can be used for parish meetings, public enquiries, meetings relating to allotments under the Small Holdings and Allotments Act, 1908, and for meetings "for the purpose of the candidature of any person for the (rural) district council or the parish council." Local Government Act, 1894, section 4.

Alternative Parliamentary Vote.

31. Whenever more than two candidates are nominated for one parliamentary constituency, the following provisions shall take effect.

1. Every elector shall have an ordinary vote (herein called a first vote) and an alternative vote (herein called a second vote).

2. The ballot papers shall be printed in such a way as to allow two defined spaces for voting opposite the name of each candidate.

3. Every voter shall exercise his first vote by marking his ballot paper in the usual manner in the space marked first vote, and shall exercise his second vote by marking the same ballot paper in the usual manner in the space marked second vote.

32. 1. Every vote given as a first or second vote shall be allowed or disallowed and counted in the like manner as if such a vote were a vote given at an election when not more than two candidates have been nominated.

2. The first votes shall be counted first, and if any candidate receive more than one half of the first votes recorded he shall be declared to be duly elected.

3. If no candidate receive more than one half of the total number of first votes recorded, the second votes recorded on those ballot papers on which the first vote has not been cast for the two candidates receiving the greatest number of first votes shall be counted, and such second votes as are thereon recorded for the two candidates receiving the greatest number of votes shall be added to the first votes recorded for such candidates, and the candidate who receives the greatest number of votes when such second votes are so added to the first votes recorded for such candidates shall be and be declared to be duly elected.

4. If no candidate receive more than one half of the total number of first votes recorded, and one, two, or more candidates who receive the highest number of first votes after the candidate who receives the highest number of votes receive an equal number of first votes, the second votes recorded on those ballot papers in which one first vote has been recorded for any candidate receiving less votes than the candidates so receiving an equal number of votes shall be counted, and such second votes shall be added to the votes of the candidates so receiving an equal number of votes, and the candidate who receives the greatest number of votes shall be deemed to be one of the two candidates receiving the greatest number of votes under sub-section three of this section, and thereupon the counting of votes shall proceed and the result of the election be ascertained as in that sub-section provided.

5. If no candidate receive more than one half of the total number of first votes recorded, and the two or more candidates who receive the highest number of first votes after the candidate who receives the highest number of votes receive an equal number of votes, and there are no candidates receiving less votes than such candidates receiving equal votes, the second votes recorded on those ballot papers on which the first vote has been recorded for the candidates receiving equal votes shall be counted and such second votes shall be added to the votes of the candidates so receiving an equal number of votes, and the candidate who receives the greatest number of votes shall be deemed to be one of the candidates receiving the greatest number of votes under sub-section three of this section, and thereupon the counting of votes shall proceed and the result of the election be ascertained as in that sub-section provided.

Our Antiquated System.—"The 'relative majority' single-member method is in force, besides the United Kingdom, in the United States, Denmark (for the Lower House), Bulgaria and Greece.

"The Second Ballot.—The Second Ballot exists in Austria-Hungary, France, Germany (both for the Reichstag and in most of the States), Italy, the Netherlands, Norway, Roumania, Russia, Servia (for single-member districts), and Switzerland (for the Federal Council).

"In France, Norway, Roumania, Russia, and Switzerland all the candidates at a first ballot may stand again at the second, where a relatively small majority suffices ;

in the other countries all candidates are eliminated from the second ballot except the two who received the largest number of votes at the first.

"In some countries a provision is added that a candidate must receive at the first ballot not only an absolute majority of the votes cast, but also a number of votes equal to a definite proportion (one-quarter in France, one-sixth in Italy) of the registered electors.

"The intervals between the two elections are frequently fixed by law. Thus, in France the second ballot takes place on the second Sunday after the first—i.e., a fortnight, as elections are always held on Sundays; in Italy, after an interval of not less than four or more than eight days." (Royal Commission, *infra*, 1910, p. 50.)

THE ALTERNATIVE VOTE.

Second ballot is the usual method for determining an election when three or more candidates stand for one seat, and its advantages are obvious, because it prevents the election of a candidate who is voted for by a minority of the actual voters.

Our present system—also the rule in the United States and in nearly all the British Dominions—which only allows one ballot, forces compromise before the election, or splits between the various groups or parties which support the ministry or the opposition, with the result that the seat may go to the most solid and not to the most numerous section.

The presence of an active and important third party in English politics, the Labor Party, makes some form of second ballot imperative.*

The alternative vote here proposed is strongly advocated by the Royal Commission appointed to enquire into Electoral Systems in their Report of 1910, signed by Lord Richard Cavendish, the Hon. W. Pember Reeves, Sir Courtenay Ilbert, and others.

It has precisely the same result as second ballot where there are two or three candidates for one seat, and will have nearly the same result in other cases. It has the great advantage of not involving the delay, expense, and trouble of a second ballot after an interval of a fortnight; it does not give opportunity for bargaining in the interval between the two ballots, a practice likely to lead to objectionable compromises; and it practically prevents small third or fourth parties deciding a contest on illegitimate grounds.

Under second ballot, if the votes were A 1,400, B 800, C 700, D 200, and assuming that B and C were closely allied parties, their joint vote should carry the seat. But D could give the victory to either side, and might easily do so for reasons which may be vaguely termed illegitimate.

The alternative vote practically prevents this, because no one could foresee the result of a complicated election with sufficient certainty to justify bargaining.

The alternative vote has been in operation in Queensland since the Electoral Act of 1892 and in Western Australia since the Electoral Act of 1907.

PROPORTIONAL REPRESENTATION.

We do not propose this widely advertised scheme of reform of our electoral system for reasons admirably set forth in the report of the commission already referred to.

If parliament had merely to discuss and consult, a method of election which gave every section representation in proportion to its numbers would have much to recommend it. But, in fact, parliament has to legislate, and through its executive, the cabinet, to administer our home affairs and to conduct foreign and colonial policy. For these purposes a method of election which accentuates the majority at any given time is actually preferable to a method which accurately represents it. Weak governments are the worst governments, because they do least work and do it badly. When the electorate is divided, as it often is, in the proportion (say) of nineteen votes on one side to twenty on the other, it is for the advantage of the nation that the parliament returned by those votes should be in the proportion of fourteen to twenty-five.

* The case against it, even under the present system, is stated by Mr. J. Ramsay MacDonald in his "Socialism and Government," though, on the whole, he decides that a change is necessary.

The arguments against proportional representation are that it would involve large constituencies, not less than ten times the size of our present ones. The cost of elections would be enormously increased, and the difficulty of candidates making themselves and their opinions known to their constituents would be aggravated. In the old London School Board elections the parties had to meet this by dividing the large constituencies then in use into districts and allotting the parts to the several candidates, who devoted themselves to these districts only, and invited the electors thereof to give them all their votes.

The very heavy cost of these elections would increase the advantage which wealthy candidates and parties already have over those with less money at their disposal.

Other objections are the impossibility of devising any satisfactory method of conducting bye elections under a system of proportional representation, and the fact that the expected result, the election of two or more large parties very nearly balanced and a few nondescripts representing special sections or, through their outstanding personalities, representing, in fact, themselves, would give the balance of power, the decision as to the policy of the nation, into the hands of a group of these small, incompatible minorities, such as, at the present moment, Free-Trade Unionists, the Anti-Socialist Radicals, the Anti-Romanists, the Liberal Unionists, the Anti-Labor-Party Socialists, the Women Suffragists, the Independent Nationalists, and the other often estimable, but peculiar, politicians who usually represent worn out creeds or else political parties not yet in being.

Lastly, the difficulties of the imperfectly educated voter would be enormously increased. Instead of having to vote for one of two or, at most (except in rare cases), three candidates, he would be required to select ten names out of a list of twenty, at least, and twenty-five, thirty, forty, or even more in other cases. Chance, notoriety for quite irrelevant reasons, and numerous other factors would come into play. Numbers of persons would be returned to parliament not to represent a definite political policy or a particular view held by a small section, but because they bore a well known name, or owned a Derby winner, or had a son who played in the county cricket eleven or the borough football club.

For these and other reasons set out in the Report of the Royal Commission above referred to, and also cogently stated by Mr. J. Ramsay MacDonald in his "Socialism and Government," we think that no system of proportional representation yet invented could be adopted without gravely impairing effective democratic control.

Proportional representation is in operation in Belgium, Denmark, Finland, Servia, Sweden, Switzerland (in eight cantons), Tasmania, and Würtemberg.

33. 1. No conveyance or horse or other animal shall be let, lent, or employed by any person for the purpose of conveying any other person, except a bona fide member of his own household, to or from the poll, except as provided in section 14 (3) of the Corrupt and Illegal Practices Prevention Act, 1883.

2. Any person who shall so let, lend, or employ a conveyance or horse or other animal contrary to the provisions of this section shall, on summary conviction, be liable to a fine not exceeding £100.

The section above named permits an elector or several electors at their joint cost to hire a public stage or hackney carriage for the purpose of being conveyed to or from the poll.

Part III.—Parliament.

34. 1. Each of the parliamentary boroughs returning two members to parliament shall for the purpose of returning members to serve for such borough in parliament be divided into divisions.

2. The number, names, contents, and boundaries of such divisions respectively shall be those specified by the Local Government Board.

35. No university or group of universities shall return a member or members to serve for such university or group of universities in parliament.

36. 1. Every member duly elected to parliament, who has duly taken the oath required to be taken by members of parliament, or who has duly made affirmation in lieu thereof in the manner required by law, shall from the time of taking such oath or making such affirmation, so long as he remains a member of any parliament, be entitled to a salary of three hundred pounds per annum, which salary shall be paid out of moneys provided by parliament.

2. Every such member shall likewise be entitled to an allowance, to be paid out of moneys provided by parliament, for travelling expenses at the following rate, namely, when in the opinion of the Speaker :

- a. The furthest boundary of the constituency is over 500 miles from the Palace of Westminster : £100 per annum.
- b. The furthest boundary of the constituency is over 250 miles, but not over 500 miles, from the Palace of Westminster : £75 per annum.
- c. The furthest boundary of the constituency is 250 miles or under from the Palace of Westminster : £50 per annum.

37. Five years shall be substituted for seven years as the time fixed for the maximum duration of parliament under the Septennial Act, 1715.

Prior to the Revolution of 1688, with the exception of a few years during the Commonwealth, the duration of parliaments was entirely within the control of the Sovereign. One of the parliaments of Charles II. sat eighteen years. The Triennial Act was passed in 1694. Its preamble declares "that frequent and new parliaments tend very much to the happy union and good agreement of King and people." The Septennial Act, one of the earliest measures of the first parliament of George I., was nominally based on a desire to relieve the country of the "grievous and burdensome" expense of elections, and also from "the violent and lasting heats and animosities among the subjects of the realm," but was really aimed at the "restless and Popish faction," which was "designing and endeavoring to renew the Rebellion within this Kingdom and an invasion from abroad." The dangers of 1714 have passed away, and the Septennial Act should therefore have been repealed more than a century and a half ago, but all attempts at repeal have been unsuccessful. Parliaments rarely last longer than five years, and the average length is considerably less. A legislative assembly of the Union of South Africa may sit for five years; the House of Representatives of the Australian Commonwealth for three years, and these are among the newest parliaments created. The German Reichstag is elected for five years.

The proposal to pay members of parliament is not an untried and new-fangled innovation, but a reversion to old constitutional custom, both in England and Scotland. "The custom began," says Dr. Henry, in his work "Greater Britain," "with

the commencement of representation from a principle of common equity." In Scotland the payment was made in accordance with the terms of a statute dated 1427, which has been preserved, and is supposed to have been copied from an English statute that has been lost. Professor Thorold Rogers says that in the reign of Edward I. "the member of parliament had daily wages; the knights or county members receiving more—the amount is not invariable—than the burgesses. When the parliament was prorogued or dismissed, the writs for payment were made out, and the time during which the house sat exactly calculated." A judgment of Lord Chancellor Nottingham after the dissolution of parliament in 1681 proves that the payment was not merely a voluntary contribution by the constituencies. Thomas King, M.P. for Harwich, presented a petition stating "that he had served as burgesse in parliament for the said borough severall yeares, and did give his constant attendance therein; but that the said borough had not paid him his wages, though often requested so to do." Notice being given to the Corporation of Harwich and the facts being verified, a writ was ordered to be issued, *de expensis burgensium levandis*. This was probably the last order so made. "I know no reason," said Lord Campbell, commenting on this judgment, "in point of law why any member may not insist on payment of his wages. For this point in the People's Charter—payment of wages—no new law is required." An Act of 1541 made the payment of wages depend upon attendance in the house throughout the whole session. Payment of members is required to enable constituencies to choose freely their representatives, to give the public complete control over them, and to compel them to perform their duties with diligence and efficiency. The poor candidate would thus be put upon an equality with the richest. An equitable and convenient adjustment of burdens is made by the payment of members out of the state, and the election expenses out of the local, exchequers. Payment of members is the law in almost every country where representative government prevails. A table of existing laws on the subject will be found opposite.

The declaration of Mr. Asquith, in November, 1910, as Prime Minister and Leader of the Liberal Party, to the effect that payment of members and payment of election expenses would be established in 1911, if he was again returned to power, makes clause 36 the first likely to be adopted at Westminster.

Clause 37 is the last clause of the Parliament Bill, 1910.

LIST OF BOOKS.

- KING, J.—Electoral Reform: an Enquiry into our System of Parliamentary Representation. 1908. Unwin. 2s. 6d. net.
- MACDONALD, J. R.—Socialism and Government. 1909. I.L.P., 23 Bride Lane, E.C. 2s. and 3s. net.
- Report of Royal Commission on Electoral Systems. Cd. 5163, 1910. 6½d.
- Reports from His Majesty's Representatives in Foreign Countries and in British Colonies respecting the Application of the Principle of Proportional Representation to Public Elections. Cd. 3501. 1907. 1s. 3d.

Table of Existing Laws as to Payment of Members of Legislatures.

| COUNTRY. | PAYMENT TO MEMBERS OF LEGISLATURE. | OTHER ALLOWANCES. |
|-----------------|--|--|
| AUSTRIA | 16s. 8d. per day while the House is in session. | Travelling expenses paid |
| BELGIUM | Deputies receive 4,000 francs (£160) per year. | Free travelling on State railways. Free travelling on private railways between residence and capital. |
| BAVARIA | Members of Upper House are unpaid. Deputies receive 10s. per day during session. | Free railway travelling during session and eight days before and after. |
| BULGARIA | Members of National Assembly living in capital receive 12s. per day during session; members resident out of capital receive 16s. per day, which includes travelling expenses. | |
| DENMARK | Members receive 11s. 1d. per day during the first six months of the session and 6s. 8d. per day for every additional day. | Free railway travelling (second class). |
| FRANCE | Senators and deputies receive £600 per year. | An annual payment of £2 entitles members of both Chambers to travel free on all railways. |
| GERMANY | Members of the Reichstag receive £150 per year. A sum of £1 is deducted for each day's absence. | Free railway travelling during session. |
| GREECE | Deputies are paid £72 for each ordinary session. For an extraordinary session only travelling expenses are allowed, but reimbursements for extra expenses, varying from £60 to £80, are generally voted. | Free railway and steamship travelling during session. |
| HUNGARY | Members of the Lower House receive £200 per year, with £66 13s. for house rent. | |
| ITALY | Members are not paid. | Free railway travelling and postage. |
| NETHERLANDS | Members of the First Chamber not residing at the Hague are paid 16s. 8d. per day while in session. Members of the Second Chamber receive £166 per year. | Free railway travelling. |

| COUNTRY. | PAYMENT TO MEMBERS OF LEGISLATURE. | OTHER ALLOWANCES. |
|-----------------|--|---|
| NORWAY | All members of the Storting receive 13s. 4d. per day during session. | Travelling expenses as follows: 2½d. per kilometre for pony or cariole. 5d. per kilometre for rowboats. 1½d. per kilometre for train. 5d. per sea mile for steamers. Free medical attendance during session. Funeral expenses paid if member dies during session. |
| PORTUGAL | Colonial deputies receive £20 per month while the Cortes is sitting and £10 per month at other times. Ordinary deputies have been unpaid since 1892. | |
| PRUSSIA | Members receive 15s. per day during session. | |
| ROUMANIA | Deputies receive 16s. 8d. per day of actual attendance during session. | Free railway travelling. |
| RUSSIA | Elective members of the Council of the Empire receive during the session £2 13s. per day. Members of the Duma receive £1 13s. per day during the session. | Free railway travelling to and from St. Petersburg. |
| SAXONY | Members of both Houses resident in capital receive 6s. per day during the session. Other members receive 12s. per day and travelling allowance. | |
| SERVIA | Deputies receive 12s. per day during session. | Travelling allowance. |
| SPAIN | Neither senators nor deputies are paid. | |
| SWEDEN | Members of both Chambers receive £66 for each session of four months and 11s. per day for an extra session. | Travelling expenses paid |
| SWITZERLAND. . | Members of the National Council and Council of States receive 16s. 8d. per day during session. | Travelling expenses paid at rate of 20 centimes per kilometre (2½d. per mile). |
| UNITED STATES | All members of Congress receive \$7,500 (£1,500) per year. | Travelling allowance of 20 cents (10d.) per mile. |

| COUNTRY. | PAYMENT TO MEMBERS OF LEGISLATURE. | OTHER ALLOWANCES. |
|------------------------------|--|---|
| UNITED STATES (continued) | | Senators allowed \$2,000 (£400) per year for clerical assistance ; congressmen allowed \$1,500 (£300) per year. All members allowed \$125 (£25) per year for stationery. Free postage. Private room (furnished, lighted, and heated free) provided in Congressional official building for each member. Free seed samples from Agricultural Department for farmer constituents, etc. |
| WURTEMBERG | Members of both Chambers receive 15s. per day. | Free railway travelling. |
| CANADA | Members of Senate and House of Commons receive £500 each session of more than 30 days. If session lasts less than thirty days, £4 per day is paid. The leader of the opposition receives £1,400 per year extra. | Travelling expenses paid |
| AUSTRALIAN COMMONWLTB | Members receive £600 per year. | Free travelling on Government railways. |
| VICTORIA | Members of Legislative Council (Upper House) are unpaid. Members of Legislative Assembly (Lower House) receive £300 per year. | Ditto Ditto |
| QUEENSLAND ... | Ditto Ditto | Ditto Ditto |
| NEW SOUTH WALES | Ditto Ditto | Ditto Ditto |
| SOUTH AUS- TRALIA | Members of each House receive £200 per year. | Ditto Ditto |
| WESTERN AUS- TRALIA | Ditto Ditto | Ditto Ditto |
| TASMANIA ... | Members of each House receive £100 per year. | Ditto Ditto |
| NEW ZEALAND | Members of Legislative Council (Upper House) receive £200 per year. Members of House of Representatives (Lower House) receive £300 per year. | Ditto Ditto |

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